

SWIDLER  
&  
BERLIN

CHARTERED

DOCKET FILE COPY ORIGINAL

JAMES C. FALVEY  
ATTORNEY-AT-LAW

DIRECT DIAL  
(202)424-7706

April 1, 1994

RECEIVED  
[APR 1 1994  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**VIA HAND DELIVERY**

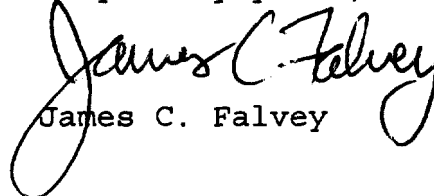
Mr. William Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, D.C. 20554

Re: Comments of Communications Image Technologies, Inc.  
(Docket No. 94-18)

Dear Mr. Caton:

Enclosed for filing is the original and five copies of Comments of Communications Image Technologies, Inc. (Docket No. 94-18). Please date-stamp the sixth copy and return it to the messenger. Thank you for your attention to this matter.

Very truly yours,

  
James C. Falvey

cc: B. Ken Shafer, Jr.  
Andrew D. Lipman, Esq.  
Helen E. Disenhaus, Esq.

124762.1

No. of Copies rec'd 025  
List A B C D E

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

\_\_\_\_\_  
In the Matter of )  
 )  
 )  
The Establishment of a Federal Advisory )  
Committee to Assist the Common Carrier )  
Bureau in the Development and )  
Implementation of an Electronic Filing System. )  
\_\_\_\_\_ )

CC Docket 94-18 }

**COMMENTS OF  
COMMUNICATIONS IMAGE TECHNOLOGIES, INC.**

Andrew D. Lipman  
James C. Falvey

**SWIDLER & BERLIN, CHARTERED**  
3000 K Street, N.W., Suite 300  
Washington, DC 20007-5116  
(202) 424-4500

April 1, 1994

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
 Washington, D.C. 20554

\_\_\_\_\_  
 In the Matter of )

The Establishment of a Federal Advisory )  
 Committee to Assist the Common Carrier )  
 Bureau in the Development and )  
 Implementation of an Electronic Filing System. )  
 \_\_\_\_\_ )

CC Docket 94-18  
 \_\_\_\_\_

**COMMENTS OF**  
**COMMUNICATIONS IMAGE TECHNOLOGIES, INC.**

Communications Image Technologies, Inc. ("CITI"), by its undersigned counsel, hereby submits its comments in support of the establishment of a federal advisory committee, pursuant to 5 U.S.C. App. 2, to assist the Common Carrier Bureau ("Bureau") in the development and implementation of an electronic filing system. Based on its extensive experience in designing and operating electronic telecommunications systems for the Commission and other large, sophisticated users, CITI enthusiastically supports the proposal to form an advisory committee that will draw on the expertise of the private sector and other entities to assist the Bureau in adopting an electronic filing system.

**I. COMMUNICATIONS IMAGE TECHNOLOGIES, INC.'S ELECTRONIC TELECOMMUNICATIONS SYSTEMS EXPERIENCE**

CITI currently provides to the Commission its Telview<sup>™</sup> electronic telecommunications information system, which features the first commercially available

ongoing CD-ROM interstate and intrastate tariff library in an image format. CITI also provides its Telview<sup>™</sup> system to approximately 50% of the Nation's tariff users, including nine of the ten largest interexchange carriers ("IXCs"), several local exchange carriers ("LECs"), the National Exchange Carriers' Association ("NECA"), and Bellcore. The company, headquartered in Dunn Loring, Virginia, was founded in July 1991 by its President, B. Ken Shafer, Jr. In March 1992, the company commercially introduced its CITI's Telview<sup>™</sup> system -- a system designed so that it can be easily modified to accommodate new information, such as Commission orders and decisions, additional state public utility commission documents, RIPS information, and international tariffs. The Telview<sup>™</sup> system has significant additional storage capacity that will enable it to meet the expanding needs of its users. The Telview<sup>™</sup> system could be easily adapted to create an electronic filing system for the Commission that would make Commission documents instantaneously available to the Commission, other government entities, and the public at large. CITI is currently in the process of developing a similar electronic filing system for a foreign country that will provide a state-of-the-art filing system incorporating both ASCII and imaging technologies.

As discussed below, in developing its highly flexible Telview<sup>™</sup> system, CITI has already considered many of the difficult issues relating to the design and implementation of an appropriate electronic filing system for the Commission. Based on this unique experience, when the time comes to appoint members to the advisory committee, CITI would offer its participation as a knowledgeable, energetic, and productive member of the Committee.

**II. AN ADVISORY COMMITTEE WOULD ASSIST THE FCC TO DEVELOP AND IMPLEMENT ITS ELECTRONIC FILING SYSTEM**

The public interest would be served by the establishment of an advisory committee that will assist the Commission to develop and implement an electronic filing system. The Federal Advisory Committee Act requires that, in order for such a committee to be established, it must be

determined as a matter of formal record, by the head of the Agency involved after consultation with the Administrator [of General Services] with timely notice published in the Federal Register, to be in the public interest in connection with the performance of duties imposed on that agency by law.

5 U.S.C. § 9(a)(2) (1993).

In CITI's view, both the FCC and the general public will benefit greatly from the establishment of an FCC electronic filing system. The FCC will conserve substantial building space, staff time, and money by receiving and storing filings electronically. FCC staff will have easier and less expensive access to FCC filings, creating further cost savings for the federal government. An electronic filing system will also greatly enhance the Commission's policymaking and public participation to the extent that it will provide remote filing and access to millions of FCC documents.

Given the significant potential benefits of an electronic filing system, the establishment of a federal advisory committee will likewise be in the public interest as it will assist with the speedy and efficient implementation of such a system. An advisory committee empaneled for the specific purpose of considering an electronic filing system for the Commission would have the resources, experience, and knowledge of the Commission's needs to address the technical, financial, and other complex practical issues involved in implementing such a system for the Commission. FCC staff is already

heavily taxed to meet their current responsibilities and outside assistance and expertise would undoubtedly be welcome. The technical and other expertise of advisory committee members from a variety of backgrounds will assist the Commission to institute a system on a timely basis.

If the FCC is to adopt a new filing system, it must ensure that the system is sufficiently flexible and sophisticated so that it will meet the specific needs of the Commission and be useful for years to come. For example:

- At a minimum, an electronic filing system must not only allow users to file electronically, but must also allow the FCC to access filings once they are received. (e.g., a telecommunications service provider will determine the content of its tariff, but the FCC will have to retain the power to input the effective date of the tariff.) End-users and members of the public should also have the capacity to access filings at any time, and to perform simple tasks such as searching and other text-based retrieval. In order to achieve even these minimal capabilities, filings will have to be translated from standard word processing coding (e.g., WordPerfect) to ASCII coding. CITI can assist in making this possible.
- A state-of-the-art electronic filing system must accommodate not only new filings, but must also keep track of the vast amount of information contained in past filings. While translation of filings into ASCII coding is the most practical solution for new filings, translation of past filings would be impractical. CITI envisions a system that would combine ASCII translation for new materials with document imaging for the extensive library of old materials. Transmission of new filings would be conducted over a network system; transmission of dated imaged documents would be conducted by satellite. Any system that does not provide both capabilities will be of limited utility.
- A provider should also be able to modify or amend its filings without retransmitting the entire filing. This can be accomplished by standardizing the filing format used by all filers, allowing a filing party to transmit merely the pages containing modifications, with proper pagination codes to allow for insertion into the proper portion of the tariff.
- CITI understands from its contacts in the field that when electronic filing becomes available many entities would also be interested in paying filing fees by electronic transfer. Such an electronic payment option would allow users to take full advantage of the speed and efficiency associated with electronic filing. CITI has also designed a system that would incorporate electronic payment.

- An electronic filing and remote access system, in order to serve the needs of all members of the general public, should be extremely user-friendly. Ideally, the system should be an open system in a windows format (e.g., Microsoft™). CITI's experience with its windows format Telview® system confirms that this is an extremely user-friendly and accessible format.

The input of a Committee on these types of technical and design issues would facilitate and expedite the creation of an effective electronic filing system.

### **III. PRIVATE SECTOR PARTICIPATION WOULD BRING UNIQUE EXPERTISE TO THE FCC**

Although an advisory committee should draw from a wide range of public and private backgrounds, the active participation of the private sector will bring unique benefits to the Commission. Members of a federal advisory committee could not only provide expert advice on how to institute such a system, but could also provide critical advice regarding end-user needs and desires. For example, CITI currently provides its Telview® service to a wide variety of telecommunications entities, including AT&T, GTE, United Telephone/Sprint Corp., BellSouth, Southwestern Bell, AllTel, MCI, Mitre, Cable & Wireless, and LDDS, to name just a few. Through these widespread contacts, CITI can provide user feedback that will assist the Commission in designing a system that will meet the needs of its diverse users. The ongoing input of an advisory committee will ensure that as decisions are made that determine the nature of the system, end-user concerns are constantly taken into account. If the public is to have access to an effective electronic filing system in the near future, an advisory committee that includes private industry participation is a necessary catalyst to implementing such a system.

Companies such as CITI that operate related electronic telecommunications systems have already encountered and overcome many of the obstacles that currently face the Commission. Given this experience with electronic telecommunications issues, CITI and other private companies could make significant contributions to an FCC advisory committee. Tapping into this experience would be in the public interest because it would afford the most efficient means to implement a system.

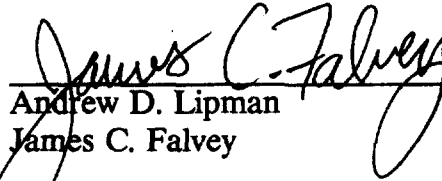
#### **IV. CONCLUSION**

The FCC would be well served by the appointment of a federal advisory committee, pursuant to 5 U.S.C. App. 2, in order to assist the Common Carrier Bureau ("Bureau") in developing and implementing an electronic filing system. The establishment of such a committee to facilitate the near-term implementation of an electronic filing system would be in the public interest to the extent that it would make the filing of FCC documents and access to those documents easier and less expensive for all involved. CITI strongly supports the establishment of such a committee and the active involvement of the private sector in developing a user-friendly, cost-effective, and reliable system.



Respectfully submitted,

COMMUNICATIONS IMAGE TECHNOLOGIES,  
INC.



\_\_\_\_\_  
Andrew D. Lipman  
James C. Falvey

SWIDLER & BERLIN, CHARTERED  
3000 K Street, N.W., Suite 300  
Washington, DC 20007-5116  
(202) 424-7500

Dated: April 1, 1994